

**\*\*Title:\*\*** Ermita-Malate Hotel and Motel Operators Association, Inc., et al. vs. The Honorable City Mayor of Manila

**\*\*Facts\*\***

In a judicial battle that reached the Philippine Supreme Court, the Ermita-Malate Hotel and Motel Operators Association, Inc., along with Hotel Del Mar Inc. and Go Chiu, contested an ordinance enacted by the City of Manila which introduced new regulatory measures for motels and hotels, primarily aimed at curbing prostitution and upholding public morals. The challenged ordinance included provisions like making registration forms for guests visible to public view, substantially increasing license fees, and other amendments purportedly to deter illicit behaviors and possibly limit the operators' income. Believing these regulations to be an affront to their constitutional rights, including due process, freedom from unreasonable search and seizures, and equal protection of the laws, the petitioners sought judicial intervention to declare the ordinance unconstitutional.

The case escalated from the lower courts to the Supreme Court following a contested decision that favored the ordinance's validity. The Supreme Court initially found no merit in the petitioners' grievances in its July 31, 1967 decision, citing a lack of evidence to overcome the ordinance's presumptive constitutionality and detailing a judicial philosophy that generally defers to legislative judgment in matters of public welfare unless clear constitutional infringements are demonstrated.

**\*\*Issues\*\***

The main legal issues revolved around:

1. The ordinance's constitutionality concerning due process.
2. Allegations of undue infringement on rights against unreasonable searches and seizures.
3. Claims of violations of the right to liberty and property without due process.
4. Concerns over equal protection under the law.

**\*\*Court's Decision\*\***

The Supreme Court denied the Motion for Reconsideration and the Supplemental Motion for a New Trial filed by the petitioners, reinforcing the ordinance's constitutionality. The decision broke down the legal arguments as follows:

- **\*\*Due Process\*\***: The Court found that the ordinance did not violate due process, both procedurally and substantively. It underscored the presumption of constitutionality that favors legislations absent concrete proof of infringement on fundamental rights.
- **\*\*Reasonable Search and Seizure, Liberty and Property\*\***: The Court dismissed claims

relating to unreasonable search and seizure, liberty, and property rights as lacking merit, highlighting that regulatory measures in pursuit of public welfare do not inherently constitute constitutional violations.

- **Equal Protection**: The argument that motels within Manila were at a disadvantage compared to those in suburbs was refuted based on jurisdiction limitations, asserting that the ordinance applied uniformly within the city's authority scope.
- **Laissez-Faire Principle**: The contention that the ordinance conflicted with economic freedoms was countered by citing precedents that recognize the state's capacity to intervene in economic affairs for public welfare.

### **Doctrine**

The case reinforced several doctrines:

1. The presumption of validity that favors legislative enactments touching on public welfare unless clear proof of constitutional violations is presented.
2. The expansive interpretation of police power, including regulatory measures for public moral considerations, in alignment with constitutional stipulations.
3. The notion that economic regulations, especially those affecting public morals and welfare, do not automatically infringe on property or liberty rights under the guise of due process.

### **Class Notes**

- **Presumption of Validity**: Legislative acts aimed at the public welfare are presumed valid unless proven otherwise.
- **Police Power**: The state has broad latitude under its police power to enact legislation for public health, safety, morals, and general welfare.
- **Due Process in Economic Regulation**: Economic regulatory measures do not prima facie violate due process rights; the burden of proof to demonstrate unreasonableness or arbitrary action lies on the challenger.
- **Equal Protection**: Equal protection claims require demonstrating that the law arbitrarily discriminates against a particular group without rational basis.
- **Relevant Legal Statute**: Constitution of the Philippines - pertinent sections on due process, search and seizure, and equal protection clauses.

### **Historical Background**

The case contextually sits within a period when urban centers, like Manila, were grappling with societal issues like prostitution, necessitating regulatory interventions. It reflects the judiciary's balancing act between upholding constitutional rights and validating state efforts

to address public welfare concerns through legislative measures.